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Attorneys for Defendant  
NATIONWIDE LIFE INSURANCE COMPANY

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

DONALD SAXBY, an individual, and  
BARBARA SAXBY,

Plaintiffs,

vs.

NATIONWIDE LIFE INSURANCE  
COMPANY, dba NATIONWIDE  
HEALTH PLANS, and DOES 1 through  
50, inclusive,

Defendants.

Case No. CV08-1165 JL

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED by and between the parties to the above  
action, by and through their attorneys of record, that the action be and hereby is

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STIPULATION OF DISMISSAL

1 dismissed in its entirety, with prejudice, each party to bear its own attorneys' fees and  
2 costs.

3 Dated: March 28, 2008

JOHN L. VIOLA  
DYKEMA GOSSETT LLP

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5  
6 By: /s/ John L. Viola  
John L. Viola  
7 Attorneys for Defendant  
NATIONWIDE LIFE INSURANCE  
8 COMPANY

9  
10 Dated: March 31, 2008

GREGORY L. BENTLEY  
SHERNOFF BIDART & DARRAS LLP

11  
12 By: /s/ Gregory L. Bentley  
Gregory L. Bentley  
13 Attorneys for Plaintiffs  
DONALD SAXBY and BARBARA  
14 SAXBY

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50, inclusive,

Defendants.

Case No. CV08-1165 JL

[PROPOSED] ORDER OF  
DISMISSAL

Pursuant to the Stipulation of the parties to the above action, by and through  
their attorneys of record, filed April 1, 2008,

IT IS ORDERED that the above action be and hereby is dismissed in its  
entirety, with prejudice, each party to bear its own attorneys' fees and costs.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
UNITED STATES MAGISTRATE  
JUDGE

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ID\JLV